

# Commission 3 Report 28<sup>th</sup> March 2011

The Resolution emerging from Commission 3 covers four areas:-

- A. Gender and Collective Bargaining Processes
- B. Equal Pay for Work of Equal Value, and a Living Wage
- C. Sexual Harassment policies
- D. HIV & AIDS policies
- E. Gender based violence in general

## **A. Gender and our Collective Bargaining Processes**

### *Noting*

1. Progress has been made in the numbers of women active in collective bargaining processes, but we still have a long way to go
2. Collecting mandates and giving report backs is increasingly becoming a challenge in an environment where there is increasing flexibility in working time (e.g. retail workers working over the weekend) and the nature of the workplace (e.g. some IT workers working at home, or reporting direct to where the service is being provided).
3. The broadening of the scope of our unions has also made collective bargaining more complex
4. That over and above the new challenges, our mandating and reporting processes are inadequate
5. That bargaining in some sectors is still highly decentralised and that this over-stretches resources and reduces national bargaining power

### *Resolves:*

1. To continue to demand greater involvement of women in negotiating processes and to provide training and support for them
2. To pursue strategies for empowerment of women negotiators including training in putting forward an argument, allocation of certain issues for motivation in the tabling of demands, inviting of observers into negotiations etc

3. To continue to push for representation of women at all levels of leadership as this is essential to ensure that gender demands are followed through in negotiations and do not get compromised
4. To revisit old agreements to ensure that they are in line with the BCEA, that they are appropriate to today's needs, and are gender sensitive
5. To share Collective Bargaining issues and experiences between affiliates through a Forum coordinated through COSATU structures. Supported by Naledi, the Forum should also monitor wage settlements in all sectors.
6. To put greater effort into ensuring the effective processes of mandating and reporting, in order to ensure that demands are fully owned and defended by membership. Such efforts should include the revival of the tradition of holding regular General Meetings in the workplace, where possible with negotiators present. Recognition Agreements must include time off provisions for such meetings.
7. To supplement our traditional communication processes with electronic communication technology e.g. sms, twitter, facebook
8. To ensure bargaining processes, inclusive of collecting and revising mandates, are given sufficient time so that accountability is not compromised in the rush to complete negotiations
9. To continue to push for centralised collective bargaining in all sectors, while ensuring that such centralisation does not compromise processes of accountability

## **B. Equal Pay for Work of Equal Value, and a Living Wage**

### *Noting*

1. That our persistent tabling of across the board percentage increase demands is contributing to the ever increasing wage gap between lowest and highest paid, and that this in turn is entrenching unequal pay between women and men
2. That we have allowed job evaluation and grading systems to be dictated by management, and these systems continue to place the majority of women at the bottom end of the wage scale, and in more vulnerable positions of employment. This has led to more women than men losing their jobs since 2001.
3. That we have made good progress in the gender equity in employment through the training and promotion of women into positions traditionally perceived to be "men's work", but many employers continue to resist the training and promotion of women workers into

4. That our collective bargaining tends to emphasise wage increases at the expense of other improvements in conditions of employment, in particular reproductive issues such as maternity protection, child care, reproductive health and wellness, transport subsidies etc
5. That our wage settlements over the past ten years have, on the whole, not lead to real increases as they have been close to inflation. Our buying power has actually decreased.

### *Resolves*

1. We need to take active steps to close all wage gaps (gender, race, geographic and grade gaps) including ending the practice of settling on across the board percentage increases.
2. We need to take urgent steps to empower negotiators to understand and critique current job grading practices, with a view to developing alternative systems. This is part of our campaign to ensure Equal Pay for Work of Equal Value.
3. To continue to demand the training and promotion of women into jobs traditionally reserved for men
4. To ensure that our settlements consistently include gender equity issues, and that these issues are not compromised
5. To push for above inflation settlements

### **C. Sexual Harassment**

#### *Noting*

1. Sexual harassment continues to be rife in the workplace, including our trade unions as workplaces
2. That while we have made good progress in negotiating sexual harassment policies in many workplaces, and that we have a useful tool in the form of the Code of Good Practice published by the DOL, implementation remains a challenge. Many workers continue to be afraid to report incidents, and our organisers and shop stewards are not always equipped to deal effectively when cases are reported.
3. That dealing with sexual harassment cases requires special skills and sensitivity, as well as passion to resolve the problem
4. That SHEP (Sexual Harassment Education Project), which was initiated by Cosatu, has over the years provided a significant service to some unions, but is now

hampered in its work by a lack of resources and has been reduced to one person supported and housed by Saccawu

*Resolves*

1. To ensure that every workplace has a sexual harassment policy, based on the DOL's Code of Good Practice
2. That each work place should have a specialist trained shop steward/s who deals with sexual harassment cases. Affiliates should call on SHEP to provide training for specialist shop stewards and organisers at a fee
3. That the NGC should receive reports of case-handling as part of processes of monitoring and of sharing strategies for success
4. That Cosatu should support SHEP by assisting the organisation to develop project plans and funding proposals

**D. HIV and AIDS**

*Noting*

1. As with Sexual Harassment, supporting and advising workers infected and/or affected by HIV and AIDS, requires specialist policies and skills

*Resolves*

2. To ensure that every workplace has a negotiated HIV and AIDS policy
3. That each work place should have a specialist trained shop steward/s who is trained to provide peer counselling
4. That progress in developing and implementing HIV and AIDS policies be reported to the Cosatu HIV and AIDS Coordinator as part of the processes of monitoring and of sharing strategies for success

**E. Gender Based Violence**

*Noting*

1. That gender based violence continues to be an unacceptable scourge in our society

*Resolves*

1. To step up our efforts to eliminate gender based violence through programmes and campaigns in the workplace, in our unions, and in our communities

2. To put our Cosatu locals at the centre of these programmes and campaigns, as they are best placed to link effectively with local organisations and local authorities to stamp out gender based violence
3. That the NGC should monitor and evaluate the progress of these GBV programmes and campaigns